

THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
(Charlotte Division)

In re:) Chapter 7
)
Paul and Alison Hemingfield) Case No. 21-30490
)
Debtors.)

EX PARTE MOTION TO CONDUCT RULE 2004 DISCOVERY

Heather Culp, Trustee for the estate of the above captioned Chapter 7 bankruptcy (the “Trustee”), requests the Court enter an order permitting the Trustee to serve document subpoena(s) on Truist Bank f/k/a Branch Banking and Trust Company (the “Bank”) for banking records of Peter F. Lee and Norma Lee (the “Lees”). In support thereof, the Trustee respectfully asserts the following:

1. The Lees are insiders of the Debtors and maintain accounts at Branch Banking and Trust Company, now known as Truist Bank. The Trustee has identified transfers made by the Debtors to the Lees for no consideration. The Trustee is in need of banking records to complete her analysis of potential avoidance actions. Such records are in the possession of the Bank.
2. The Trustee requests to serve document subpoena(s) on the Bank for the production of the Lees’ bank account records from August 31, 2017 through August 31, 2021.
3. Any document subpoenas issued in connection herewith will provide at least twenty-one days in which to produce any responsive documents

WHEREFORE, the Trustee requests that the Court enter an order pursuant to Bankruptcy Rule 2004 authorizing the relief requested herein, and for such other relief as the Court deems just and proper.

Dated: Charlotte, North Carolina
March 31, 2022

/s/ Cole Hayes
Cole Hayes (Bar No. 44443)
601 S. Kings Drive
Suite F PMB #411
Charlotte, NC 28204
704-490-4247
Attorney for the Trustee